



Gold Coast District Law Association Inc
Friday, 14 March 2003, 12:30pm
Spargo's Restaurant

Chief Justice Paul de Jersey AC

I am very pleased at last to be with you. I have met many of you on various occasions, and we recently experienced the Annual Symposium. But best plans have not to this point resulted in my attending a Gold Coast District Law Association function. I am very pleased at last to have accomplished that. That is because a significant part of my mission as Chief Justice is accessibility to practitioners State-wide. On the Gold Coast, the Law Society tells me, there are as many as 565 practising solicitors. The Bar Association confirms 13 local counsel. And of course you enjoy the benefit of the judicial leadership of Judges Hall, Newton and Wilson. I am especially pleased that you asked Judge Wilson to become patron of the Association, a role I am sure he is discharging with distinction.

I am especially pleased that this is a luncheon meeting, and that so many of you have taken the trouble to be present. Mind you, receiving luncheon invitations these days, I invariably recall the P G Wodehouse warning: "The lunches of 57 years had caused his chest to slip down into the mezzanine floor." I suppose, however, I should never have pretended to great development in the thoracic cavity!

Ladies and gentlemen, you practise in a large progressive city. Additionally, the proximity of Brisbane ensures that you should not suffer through the isolation which can be a problem in centres in remote parts of the State. Collegial



Gold Coast District Law Association Inc
Friday, 14 March 2003, 12:30pm
Spargo's Restaurant

interaction fostered by the District Law Associations can be a powerful influence against the risks of isolation. I urge you to support the Association, and of course the Society, which does such good work to keep practitioners up-to-date and in tune with their ethical responsibility.

I mentioned your practising in a city. You are well served here by the District Court. Ah, you are thinking, will he venture upon that touchy subject! Well, yes. Questions have been asked in parliament as to establishing a Supreme Court on the Gold Coast. No doubt a considerable portion of the work completed in the Supreme Court at Brisbane, originates on the Gold Coast. The view has prevailed that proximity to Brisbane warrants the disposal of that work in the metropolis, and that is on any view rational. I am, however, not in principle averse to establishing Southport as a Supreme Court circuit centre. But taking that course would depend upon the availability of necessary additional resources, and in our system they are as you know scarce. "Watch this space", but not with any particularly eager anticipation!

There are a few other matters I would like to mention. The first is the existence in the Supreme Court at Brisbane of the Commercial List, currently run by Justice Muir and Mr Justice Chesterman. It is available State-wide. It accommodates the management and trial of urgent commercial cases likely to last five days or less. It is operating effectively, and I urge you not to overlook it, because I am conscious that this part of the State can generate a substantial amount of commercial disputation. Please don't mediate all of it! We do need to keep the civil trial jurisdiction in working order!

I mention next the Rules Committee. That is a committee of Judges and Magistrates responsible for the continual monitoring and, as necessary, streamlining of the Uniform Civil Procedure Rules. You should not hesitate to



Gold Coast District Law Association Inc
Friday, 14 March 2003, 12:30pm
Spargo's Restaurant

raise with me, or Justice Williams who chairs that Committee, any suggestions you may have for improvement of the Uniform Civil Procedure Rules. Contrary to a view once expressed by another, I know you are all assiduously keen to comprehend and apply the procedural rules of court! The Committee is currently revamping the expert evidence rules, in some ways quite radically. The current draft of those proposed rules, for example, envisages sole court appointed experts and the appointment of sole experts as potential witnesses even before the commencement of litigation. I urge you to look at the draft on the court webpage if you have not already done so. There has to date been a degree of reaction from the profession which I would describe as at least...well, excited!

Next electronics. Those attending the Symposium may have seen the court staff's excellent presentation on electronic searching of files, e-Chambers, electronic set down of interlocutory applications, electronic bidding for dates for civil trials and so on. I urge you to become familiar with these facilities. Some are not yet available to Gold Coast practitioners, but we are working to make that extension. And how exciting are some of our future proposals. Those of you who attended the Symposium may have seen the proposal that the court maintain a site for each practitioner, showing his or her cases within the system, allowing access and development of files. What a possibility! Also do not forget other relaxations which have been introduced over recent years, such as filing by post, determining routine chamber applications "on the papers", the prospect of obtaining consent orders from Registrars, and so on.

The courts' website: www.courts.qld.gov.au - uses the internet to inform anyone interested about topics of utility and interest affecting the courts, the profession and the general public. You may visit this webpage with absolutely no fear of prosecution! Changes to legislation and rules affecting court practises and procedures, as well as speeches, notices and other matters of interest are



Gold Coast District Law Association Inc
Friday, 14 March 2003, 12:30pm
Spargo's Restaurant

notified on the "What's new" area of the website. Further, court judgments, law lists, rules, forms, information sheets, legal arrangements, annual reports and the like are all accessible through the page. This is a popular website. For the period from January to June last year, for example, the Registry information brochure area of the webpage received approximately 3,200 hits, which runs out at about 18 per day.

This website was developed by the Supreme Court Library, which is one of the jewels in the court's crown. You know what a research powerhouse the Library is. Over recent years, the Library has diversified substantially into the recovery, preservation and display of the State's judicial and legal heritage. Hence the very interesting displays on the second floor of the courthouse in the public corridor, where the Rare Books Room and the Lucinda Smoking Room replication are situated. The displays are regular and cover a wide range of topics from Women in the Law to Cricket and the Law. They are fascinating, often complemented by orations delivered in the Banco Court. If you are not part of this loop, I urge you to become involved: satisfaction guaranteed!

I do not want to speak too long. My principal object is to assure you of my support and encouragement. Should you ever wish to raise any problem with me, please feel free to do so directly. The collegial interaction of which I spoke earlier of course extends to me as your putative leader. I am very pleased to note the apparent vibrancy of your approach, and the public commitment reflected even through your presence here today. Thank you for inviting me to this extremely pleasant function, and for listening with patience. I will be happy to respond to any question you may have...